

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Kiyoshi KATO et al.

Serial No. 10/775,328

Filed: February 11, 2004

For: SEMICONDUCTOR DEVICE

) Group Art Unit: 2891

) Examiner: Steven J. Fulk

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Commissioner for Patents, P.O. Box 1450,  
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**PETITION TO WITHDRAW FROM ISSUE**

Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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JAN 02 2008

**OFFICE OF PETITIONS**

Dear Sir:

Applicant hereby petitions that the subject application be withdrawn from issue to permit consideration of an Information Disclosure Statement under 37 CFR 1.97 (submitted herewith) and a Request for Continued Examination (RCE) (also submitted herewith).

Also submitted herewith is the requisite fee of \$130.00 set forth in 37 CFR 1.17(i).

In view of the foregoing, it is urged that this petition is in order and, accordingly, a prompt grant thereof is requested.

The Commissioner is hereby authorized to charge any fees which may be further required in this application, except the issue fee, or credit any overpayment to Deposit

01/03/2008 CKHLOK 0000005 10775328

01 FC:1464

130.00 OP

Account No. 50-2280, under the above order number. A duplicate of this sheet is attached.

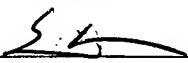
Respectfully submitted,

  
Eric J. Robinson  
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.  
PMB 955  
21010 Southbank Street  
Potomac Falls, Virginia 20165  
(571) 434-6789

<b>TRANSMITTAL FORM</b>		<b>Application Number</b>	10/775,328
		<b>Filing Date</b>	February 11, 2004
		<b>First Named Inventor</b>	Kiyoshi KATO et al.
		<b>Group Art Unit</b>	2891
		<b>Examiner Name</b>	S. Fulk
<i>(to be used for all correspondence after initial filing)</i>		<b>Total Number of Pages in This Submission</b>	Attorney Docket Number
			0756-7254

<b>ENCLOSURES (check all that apply)</b>					
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition to Withdraw from Issue <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosures 1. Request for Continued Examination 2. 3. 4. 5. 6.			
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		<b>OFFICE OF PETITIONS</b>			
		<b>Remarks</b> <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-2280 for the above identified docket number.			

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Robinson Intellectual Property Law Office, P.C. PMB 955 21010 Southbank Street Potomac Falls, VA 20165
Signature	
Date	January 2, 2008

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<b>TRANSMITTAL FORM</b>		Application Number	10/775,328
(to be used for all correspondence after initial filing)		Filing Date	February 11, 2004
		First Named Inventor	Kiyoshi KATO et al.
		Group Art Unit	2891
		Examiner Name	S. Fulk
Total Number of Pages in This Submission		Attorney Docket Number	0756-7254

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# FEE TRANSMITTAL FOR FY 2007

*Effective 09/30/2007. Patent fees are subject to annual revision.* Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$ 2170.00)*Complete if Known*

Application Number	10/775,328
Filing Date	February 11, 2004
First Named Inventor	Kiyoshi KATO et al.
Examiner Name	Steven J. Fulk
Group Art Unit	2891
Attorney Docket No.	0756-7254

**METHOD OF PAYMENT**1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:Deposit Account Number  
50-2280Deposit Account Name  
Robinson Intellectual Property Law Office Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit overpayments Applicant claims small entity status. See 37 CFR 1.272.  Payment Enclosed: Check     Credit Card     Money Order     Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001	310	2001	155
1111	510	2111	255
1311	210	2311	105
Over 100 Sheets/260 for each additional 50			

**SUBTOTAL (1) (\$)****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
122	-110**	12 X \$50	\$600
=			
Independent Claims 13	-10** = 3	X \$210	\$630

Multiple Dependent

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1202	50	2202
1201	210	2201
1203	370	2203
1204	210	2204
1205	50	2205

Claims in excess of 20.  
Independent claims in excess of 3.  
Multiple dependent claim, if not paid.  
\*\* Reissue independent claims over original patent.  
\*\* Reissue claims in excess of 20 and over original patent.

**SUBTOTAL (2) (\$)** 1230.00

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	120	2251	60 Extension for reply within first month
1252	460	2252	230 Extension for reply within second month
1253	1,050	2253	525 Extension for reply within third month
1254	1,640	2254	820 Extension for reply within fourth month
1255	2,230	2255	1,115 Extension for reply within fifth month
1401	510	2401	255 Notice of Appeal
1402	510	2402	255 Filing a brief in support of an appeal
1403	1,030	2403	515 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	510	2452	255 Petition to revive - unavoidable
1453	1,540	2453	770 Petition to revive - unintentional
1501	1,440	2501	720 Utility issue fee (or reissue)
1502	820	2502	410 Design issue fee
1503	1,130	2503	565 Plant issue fee
1462	400	1462	400 Petitions, Group I
1463	200	1463	200 Petition, Group II
1464	130	1464	130 Petitions, Group III
1807	50	1807	50 Processing fee under 37 CR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	810	2809	405 Filing a submission after final rejection (37 CFR § 1.129(a))
1810	810	2810	405 For each additional invention to be examined (37 CFR § 1.129(b))
1801	810	2801	405 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
Other fee (specify) _____			\$130.00

\* Reduced by Basic Filing Fee Paid **SUBTOTAL (3) \$ 940.00****CERTIFICATE OF MAILING**

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**SUBMITTED BY***Complete if applicable*

Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285	Telephone	(571) 434-6789
Signature				Date	January 2, 2008

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Attorney Docket No.	0756-7254

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Deposit Account Number

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Deposit Account Name

Robinson Intellectual Property Law Office

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- Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

- Check  Credit Card  Money Order  Other

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Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
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## FEE CALCULATION (continued)

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Fee Paid

## 3. ADDITIONAL FEES

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Signature				Date	January 2, 2008